

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GEORGE A. JACKSON, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 05-823-SLR-LPS
)	
STANLEY TAYLOR, et al.,)	JURY TRIAL REQUESTED
)	
Defendants.)	

**DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME
PURSUANT TO FED. R. CIV. P. 6(b)**

Defendants Stanley Taylor, Joyce Talley, Tony Figario, Carl Anson, Michael Knight, Chris Senato, Joseph Atkins, Debbie Melvin, Richard Crockett, Richard Manuel, Weston White, Steven Raynor and Bethany Evans ("Defendants"), by and through undersigned counsel, respectfully request this Honorable Court to enter an Order granting an enlargement of ten days within which to file Reply Briefs. In support of this motion, Defendants offer the following:

1. A total of thirty-one (31) inmates commenced the instant action, pursuant to 42 U.S.C. §1983 , alleging Eighth and Fourteenth Amendment Due Process violations against the Defendants in connection with Plaintiffs' incarceration by the Delaware Department of Correction ("DOC"). Six (6) plaintiffs have since been terminated, leaving the current number of plaintiffs at twenty five (25).
2. A lengthy period of discovery ensued and was completed on or about April 1, 2008 per the scheduling order. Case dispositive motions were due on April 28, 2008. (D.I. 193) Defendants filed a Motion for Enlargement of Time requesting a

twenty day extension in which to file a dispositive motion. (D.I. 259). Defendants' motion was granted on or about May 1, 2008. On or about May 19, 2008, Defendants filed a Motion for Summary Judgment with a Memorandum in support thereof. (D.I.260, 261). On or about June 13, 2008, Plaintiff Darwin Savage filed an Answering Brief. (D.I. 264). On or about June 18, 2008, Plaintiffs Darus Young and James Johnson filed Answering Briefs. (D.I. 265, 266). According to the local rules, Reply Briefs are due June 23rd and 27th respectively.

3. Counsel will be in trial in the District Court on June 24th and 25th. Due to the impending trial and other litigation in which counsel is involved, counsel for Defendants will not be able to respond to the Plaintiffs' briefs within the required time. Deputy Attorney General Catherine Damavandi requests an extension of time of ten (10) days in which to file responses.

4. This is the Defendants' first request for an extension of time to file Reply Briefs in this matter.

5. A proposed form of order is attached to this motion that will grant the Defendants a ten (10) day extension from today's date, June 20, 2008, until on or before June 30, 2008, to file the Defendants' Reply Briefs.

WHEREFORE, for the hereinabove reasons, the Defendants respectfully request that the Court grant the herein motion for an extension of time and set the deadline for filing a response on or before June 30, 2008.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Catherine Damavandi
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Attorney for Defendants

Dated: June 20, 2008

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7.1.1 CERTIFICATION OF COUNSEL

The counsel for the Defendants, Deputy Attorney General Catherine Damavandi, files this certification in compliance with Rule 7.1.1 of the Local Rules of Civil Procedure and certifies that:

1. Plaintiffs are inmates incarcerated in the Delaware Correctional system, at the Sussex Correctional Institution and the Delaware Correctional Center.
2. Since the Plaintiffs are not able to be reached by telephone counsel for the Defendants has spent no time in attempting to reach an agreement on the subject of the motion for enlargement of time.
3. She assumes the motion is opposed.

DEPARTMENT OF JUSTICE
STATE OF DELAWARE

/s/ Catherine Damavandi
Catherine Damavandi, ID #3823
Deputy Attorney General
820 N. French St. 6th Fl.,
Wilmington, De 19801
(302)577-8400
Attorney for Defendants

Dated: June 20, 2008

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2008, I electronically filed *Defendants Motion for Enlargement of Time to File Reply Briefs* with the Clerk of Court using CM/ECF. I hereby certify that on June 20, 2008, I have mailed by United States Postal Service, the document to the non-registered parties on the attached list.

/s/ Catherine Damavandi
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